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June 11, 2012

VIA ECF AND FEDERAL EXPRESS

The Honorable Leonard D. Wexler
United States District Judge
United States District Court for the
Eastern District of New York
944 Federal Plaza
Central Islip, New York 11722

RE: Lawrence I. Friedmann v. Raymour Furniture Co., Inc., et al.
12 Civ. 1307 (LDW)(AKT)

Dear Judge Wexler:

As you know, this firm represents defendant Raymour Furniture Company, Inc., d/b/a Raymour & Flanigan Furniture ("Defendant") in connection with the above-referenced matter.

On May 29, 2012, Defendant submitted a letter requesting a pre-motion conference in this matter seeking permission to file a motion to dismiss plaintiff Lawrence Friedmann's Complaint on the ground that his claims are untimely. Pursuant to Your Honor's Individual Practice Rule 2(B), Plaintiff had seven days – until June 5, 2012 – to file and serve a letter response. To date, Plaintiff has not filed and served a response to Defendant's letter, nor has he requested additional time to do so.

Since Plaintiff effectively concedes the untimeliness of the claims set forth in his Complaint, Defendant respectfully requests that Your Honor dismiss this action, based on the authority and arguments set forth in Defendant's unopposed pre-motion conference submission, in its entirety and with prejudice. In the alternative, Defendant respectfully requests that Your Honor set a briefing schedule for its anticipated motion to dismiss.

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Should Your Honor require any additional information, please do not hesitate to contact us. Thank you in advance for your attention to this matter.

Respectfully submitted,

/S/

Tara Eyer Daub
Jessica Chiclacos

cc: Walker G. Harman, Jr., Esq. (via ECF)